

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

UNITED STATES GYPSUM COMPANY,	)	
	)	
Plaintiff,	)	
	)	Civil Action No.: 07 cv 6381
v.	)	Judge Darrah
	)	Mag. Judge Keys
3M INNOVATIVE PROPERTIES COMPANY	)	
and 3M COMPANY,	)	
	)	
Defendants.	)	
	)	

**NOTICE OF MOTION**

TO: Plaintiff United States Gypsum Company and to its attorneys H. Michael Hartmann, Bruce M. Gagala, Jeffrey B. Burgan, John P. Snow, LEYDIG, VOIT & MAYER, LTD. Two Prudential Plaza, Suite 4900, Chicago, IL

PLEASE TAKE NOTICE THAT on December 12, 2007, at 9:00 a.m., or as soon thereafter as counsel can be heard, counsel for Defendants 3M Innovative Properties Company and 3M Company (collectively "3M"), shall appear before the Honorable Judge Darrah, or any judge sitting in his stead, in Courtroom Number 2119, of the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois, 60604, and then and there present Defendants' Motion to Dismiss.

Defendants' Memorandum of Law in Support of Their Motion to Dismiss is filed in support of this motion.

Respectfully submitted by:

KEEGAN, LATERZA,  
LOFGREN & GLEASON, L.L.C

By: /s/Thomas B. Keegan  
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-and-

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

By: /s/Christopher K. Larus  
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**ATTORNEYS FOR DEFENDANTS  
3M INNOVATIVE PROPERTIES  
COMPANY AND 3M COMPANY**

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that he caused a true and accurate copy of the foregoing, NOTICE OF MOTION, MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(B)(3), DEFENDANTS' MEMORANDUM IN SUPPORT OF MOTION TO DISMISS, AFFIDAVIT OF SHARON GROSH and DECLARATION OF DENNIS D. MANNING, to be filed electronically using the Electronic Filing System of the United States District Court for the Northern District of Illinois, Eastern Division, this 3<sup>rd</sup> day of December, 2007. Notice of this filing was sent to all counsel who are currently on the Court's Electronic Mail Notice List by operation of the Court's Electronic Filing System (with a copy to be mailed to any individuals who do not receive electronic notice from the Clerk) this 3<sup>rd</sup> day of December, 2007.

/s/ Thomas B. Keegan